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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

In re BRYCE W., a Person Coming Under  
the Juvenile Court Law.

ORANGE COUNTY SOCIAL SERVICES  
AGENCY,

Plaintiff and Respondent,

v.

WENDY W.,

Defendant and Appellant;

BRYCE W., a Minor,

Appellant.

G041575

(Super. Ct. No. DP009512)

O P I N I O N

Appeal from a judgment of the Superior Court of Orange County, Douglas  
J. Hatchimonji, Judge. Reversed and remanded pursuant to the stipulation of the parties.

Liana Serobian, under appointment by the Court of Appeal, for Defendant and Appellant, Wendy W.

Marsha F. Levine, under appointment by the Court of Appeal, for Bryce W., Minor and Appellant.

Nicholas S. Chrisos, County Counsel, and Debbie Torrez, Deputy County Counsel, for Plaintiff and Respondent, Orange County Social Services Agency.

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Twelve-year-old Bryce was first taken into protective custody in December 2003 due to his mother's drug history, mental health issues, and inability to protect him from abuse. He was declared a dependent of the juvenile court in January 2004 and placed with his maternal aunt and uncle, who were appointed his legal guardians. In December 2006, Bryce was again taken into protective custody due to allegations that his legal guardians had physically abused him. He was placed with foster parents. In January 2009, the juvenile court found Bryce adoptable and terminated parental rights.

Bryce and Wendy W., his mother, each appeal from the order terminating parental rights. The issue on appeal is whether the adoptability finding is supported by substantial evidence. The parties to the appeal have stipulated that the judgment of the juvenile court terminating parental rights should be reversed and the case should be remanded to the juvenile court with directions to select a permanent plan of long-term foster care because this is in Bryce's best interests. They also stipulate that the remittitur should issue forthwith.

We have examined the record and find "[t]here is no reasonable possibility that the interests of nonparties or the public will be adversely affected by the reversal" in this case and "[t]he reasons of the parties for requesting reversal outweigh the erosion of public trust that may result from the nullification of a judgment and the risk that the availability of stipulated reversal will reduce the incentive for pretrial settlement." (Code

Civ. Proc., § 128, subds. (a)(8)(A) & (a)(8)(B).) Reversal is in the best interest of the parties because it will avoid prolonged litigation involving a dependent child.

Accordingly, we accept the stipulation and reverse the order terminating parental rights. The case is remanded to the juvenile court with directions to enter an order selecting long-term foster care as the child's permanent plan. The remittitur shall issue forthwith.

SILLS, P. J.

WE CONCUR:

RYLAARSDAM, J.

ARONSON, J.